

NORTH ATTLEBORO BOARD OF HEALTH

Meeting Minutes of
March 26, 2007 6:30 pm

In attendance: Don Bates, Chairman; Susan Shaw, Member; Diane Battistello, Member and; Robert Davis, Agent.

Visitors: John Donohue Jr.; Dan Ottenheimer and Steven Corr of Mill River Consulting.

The Chairman called the meeting to order at 6:35 PM and took the first item out of order in order to allow Ms. Battistello to arrive.

LETTERS & CORRESPONDENCE:

344 John Dietsch Boulevard

The Level Design Group has asked to meet with the Board on April 9, 2007 instead of this evening to continue discussion of its request for a variance at 344 John Dietsch Boulevard. Discussion ensued relative to the Corliss Landing subdivision plans and this variance request.

MOTION made by Ms. Battistello not to allow the variance for using HDPE pipe instead of the cast iron pipe on the downspout. Seconded: Ms. Shaw. No further discussion, all in favor, motion passes 3-0.

Mr. Davis explained that Level Design has also submitted a set of revised plans for the Corliss Landing subdivision for review, with a copy also sent directly to Dan Ottenheimer for his review. Instead of taking the roadway straight out onto Landry Avenue, the developer is now proposing a less expensive cul de sac design on the property serving the same number of lots as originally proposed.

APPROVAL OF MINUTES:

The members agreed to table consideration of the following minutes until the April 9th meeting: July 17, 2006; July 24, 2006; February 5, 2007; February 20, 2007; February 26, 2007; March 15, 2007, and; March 12, 2007.

APPLICATIONS AND PERMITS:

MOTION made by Ms. Shaw to grant a Massage Therapist license to Wilfrid Georges of 134 Welles Street, Woonsocket, RI, he will be working at Fitness Plus. Seconded: Ms. Battistello. No further discussion, all in favor, motion passes 3-0

APPEARANCES:

Hickory Woods

Mill River Consulting principals Dan Ottenheimer and Steven Corr made an oral presentation of findings and recommendations with respect to the Hickory Woods subdivision in preparation for submission of their final report. The consultants explained their review of the definitive subdivision plan submitted in 2001, the hydrologic analysis & design, the proposed road improvements, and the original and as-built plans of 11 of 45 onsite wastewater systems in the Hickory Woods Estates.

The consultants reported finding issues with drainage, septic systems, high groundwater, erosion, paving and construction oversight. They explained how the site consists of Paxton soils which is slow in draining and classified as having poor potential for onsite disposal of wastewater. Among other points, they noted that the Planning Board's engineer had raised concerns for, and requested information on high groundwater, roof drainage and soils in 2001, but his concerns were never addressed. In 2004, the Conservation Commission issued a stop work order on portions of the project due to erosion and siltation in the proposed retention basin, and in 2006, the Department of Public Works asked to see Planning Board calculations of the amount of water originally expected to be collected in the development's

drainage systems, but never got the information. Also in 2006, the North Attleborough Electric Department advised that electrical conduits were filling up with water due to inadequate supervision of utility construction.

The consultants also identified several issues with onsite septic and drainage issues, including test pits not located within the leaching area as required by Title 5 of the Massachusetts Environmental Code, septic systems designed for three-bedroom homes with floor plans indicating four bedroom homes, and foundation drains installed beneath or through leaching systems. Other examples noted included leaching areas installed within three feet of estimated high ground water, homes relocated and constructed over septic test pits or within 100 foot buffer zones, tanks and pump stations installed below estimated high groundwater levels and property surface drains diverted beneath the development's streets.

Members asked many questions of the consultants, and considerable discussion ensued. Mill River Consulting will now finalize its report and prepare a similar presentation of their findings to the Board of Selectmen. Board of Health members will advise the Selectmen and Town Counsel of the preliminary results presented this evening and seek a time to have Mill River make its presentation to them as soon as possible.

COMPLAINTS:

Mrs. Field's Cookies

The Members reviewed the response of the manager of Mrs. Field's Cookies in the Mall addressing complaints received regarding the store's food handling practices.

180 Commonwealth Avenue

Members reviewed an Order to Correct a failed cesspool at 180 Commonwealth Avenue. The cesspool has failed before, with the owner ordered to tie into the municipal system in 2005, but nothing was done. The current Order to Correct orders the property owner to eliminate the cesspool and tie in by April 16, 2007 or be fined \$100 per day and pump the cesspool out every 30 days until it is. Because the town sewer line stops just short of the property, the owner will need to upgrade to a new septic system if she chooses not to incur the expense of tying into the municipal system.

967 Longview Drive

The owner of this residential property lives in Florida and has not addressed the Order to Correct the excessive junk in her yard. The Town may have to have the property cleaned up itself and place a tax lien on the property for the expense.

11 Summer Street

It was noted that the owner of this property has been given eleven pages of violations to be corrected at this address, and has not requested a hearing before the Board to ask for an extension of time to complete the work required.

OLD BUSINESS:

FINCOM Meeting

Mr. Bates represented the Board before the March 14th FINCOM meeting with Mr. Davis in order to address the Board and Health Department's FY08 budget, request for a Bylaw change, and the establishment or renewal of several revolving funds as required. Mr. Bates reported the presentation and budget requests seemed well received.

Retention Pond Regulations

Without any response to an internet request for retention pond regulations from other towns, Mr. Davis will contact several people individually to see if a model regulation can be obtained.

NEW BUSINESS:

Stormwater Committee

Ms. Battistello reported on a recent Stormwater Committee Meeting and gave several examples of the work in progress there.

Public Record Request

The last set of e-mail copies have been redacted as necessary and mailed to the requestor.

Public Health Nurse

Ms. Fleming has been honored by the Elks Lodge as the Distinguished Citizen of the year for all the work she has been doing with Lenore's Pantry. Mr. Davis advised that Ms. Fleming has also been scheduled to give a presentation on the Medical Reserve Corps at the March 29th Selectmen's meeting with Fire Chief Lamb.

ADJOURN:

MOTION made by Ms. Battistello to adjourn the meeting at 8:53 PM. Seconded: Ms. Shaw. No further discussion, all in favor, motion passes 3-0

True record attest: _____